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EPIDEMIC SOUND, AB

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

EPIDEMIC SOUND, AB,

Plaintiff,

V.

META PLATFORMS, INC., f/k/a  
FACEBOOK, INC.,

Defendant.

Case No. 3:22-cv-04223-JSC

**STIPULATION AND [PROPOSED]  
ORDER RE BRIEFING SCHEDULE ON  
MOTION OF DEFENDANT META  
PLATFORMS, INC. TO DISMISS  
PLAINTIFF'S COMPLAINT OR, IN THE  
ALTERNATIVE, FOR A MORE  
DEFINITE STATEMENT**

Pursuant to Civil Local Rules 6-1(b) and 6-2, IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff Epidemic Sound, AB (“Plaintiff”) and Defendant Meta Platforms, Inc. f/k/a Facebook, Inc. (“Defendant”), by and through their respective counsel of record, as follows:

1. WHEREAS, on July 20, 2022, Plaintiff filed its Complaint (ECF No. 1);
2. WHEREAS, on July 21, 2022, Defendant was served with the Complaint (ECF No. 20);
3. WHEREAS, on September 26, 2022, Defendant filed a Motion To Dismiss Plaintiff’s Complaint pursuant to Fed. R. Civ. P. 12(b)(6), or, in the alternative, for an order requiring Plaintiff to provide a more definite statement pursuant to Fed. R. Civ. P. 12(e) (the “Motion to Dismiss”) (ECF No. 29);
4. WHEREAS, Defendant noticed the hearing date on the Motions to Dismiss for December 1, 2022 at 10:00 a.m., or as soon thereafter as the matter may be heard, in the above-captioned court;
5. WHEREAS, pursuant to Civil L.R. 6-2(a)(1), to provide the Parties additional time to complete their briefing on Defendant’s Motion to Dismiss, the Parties wish to enter into a briefing schedule on the Motion to Dismiss and have therefore agreed as follows, subject to the approval of the Court:
  - a. The deadline for Plaintiff to file its opposition to the Motion to Dismiss shall be on or before **November 1, 2022**;
  - b. The deadline for Defendant to file any reply in support of the Motion to Dismiss shall be on or before **November 17, 2022**;
8. WHEREAS, pursuant to Civil L.R. 6-2(a)(2), there has been one previous time modification in this case: an extension of time for Defendant to respond to the Complaint (ECF No. 27);
9. WHEREAS, pursuant to Civil L.R. 6-2(a)(3), if this Stipulation is granted, no other scheduled deadlines will be affected, and the Court will receive all motion, opposition, and reply

papers in connection with the Motions to Dismiss fourteen (14) days in advance of the noticed hearing date;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiff and Defendant, through their undersigned counsel of record, and subject to the approval of the Court, that Plaintiff shall have up to and including **November 1, 2022** to file an Opposition to the Motion to Dismiss, and Defendant shall have up to and including **November 17, 2022** to file a Reply in support of the Motion to Dismiss.

IT IS SO STIPULATED.

Dated: October 4, 2022

PRYOR CASHMAN LLP

By: s/ Ilene S. Farkas

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*Attorneys for Plaintiff Epidemic Sound, AB*

Dated: October 4, 2022

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*Attorneys for Plaintiff Epidemic Sound, AB*

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1 Dated: October 4, 2022

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11 *Attorneys for Defendant Meta Platforms, Inc.*

12  
13 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

14  
15  
16 Date: \_\_\_\_\_

17 \_\_\_\_\_  
Hon. Jacqueline Scott Corley  
United States District Judge

**ATTESTATION REGARDING SIGNATURES**

I hereby attest that all signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Date: October 4, 2022

/s/ Adam S. Cashman

Adam S. Cashman

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